

## AN ACT

ENTITLED, An Act to provide for the sale of certain surplus real estate, to provide for the deposit of the proceeds, and to revise certain provisions relating to the sale of certain surplus property.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. The provisions of any law to the contrary, upon the request of the Governor, the Commissioner of School and Public Lands shall sell all or any portion of the following real estate located in Yankton County and any related personal property and improvements located on the property:

- (a) Certain property under the control of the Department of Human Services described generally as Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section 21, Township 94 North, Range 55, West of the 5th P.M., also described as Lot 13 and that portion of Lot 14 as described in Warranty Deed, F.V. Willhite, Grantor to Yankton State Hospital (administered by the South Dakota Department of Human Services) Grantee; as recorded August 26th 1918 in Book 120 on page 388 in the County of Yankton to wit: Commencing on the West or right bank of the James or Dakota River at a point where the east and west section line between sections 21 and 28 of Township 94 North, of Range 55 West of the 5th P.M. intersects said bank of said river; thence west along said section line 4.51 chains; thence north to the right bank of said river, thence down said stream along the right bank of said river to the place of beginning north to the right bank of said river, and accreted land; all of Section 21, Township 94 North, range 55, West of the 5th P.M., consisting of 15 acres, more or less; and
- (b) Certain property under the control of the Department of Human Services described generally as the East 1900 feet of the South 1300 feet of Lot A being a Subdivision of the SE1/4 of Section 36 Township 94 North Range 56 West of the 5th P.M., consisting of

56.70 acres, more or less.

Section 2. Real property and related personal property and improvements on the property which are generally considered a part of the tracts described in section 1 of this Act but not specifically included in the legal descriptions set out in section 1 of this Act may be sold as provided in this Act as though they were specifically described in section 1 of this Act.

Section 3. The real estate and other property described in section 1 of this Act shall be appraised by the board of appraisal established by §§ 5-9-3 and shall be sold according to the procedure established in §§ 5-9-6 to 5-9-9, inclusive, 5-9-11 to 5-9-15, inclusive, 5-9-28 and 5-9-36, subject to all applicable constitutional reservations.

Section 4. The proceeds from the sale of the real estate and other property described in section 1 of this Act under the control of the Human Services Center shall be deposited into the permanent fund established by Article VIII, Section 7, of the South Dakota Constitution for the use and benefit of the Human Services Center.

Section 5. That § 5-2-2.1 be amended to read as follows:

5-2-2.1. The Board of Regents may sell extraneous real property subject to the provisions of the Constitution and approval of the Legislature.

The proceeds from a sale of such land under the Board of Regents shall be deposited with the state treasurer and credited to a fund specifically designated as the real property acquisition and capital improvement fund for each institution under the Board of Regents involved in such transaction. The proceeds shall be invested by the State Investment Council in accordance with chapter 4-5. Expenditures from the fund shall be approved by the Legislature.

Section 6. That § 5-2-2.3 be amended to read as follows:

5-2-2.3. The proceeds and accumulated interest from sale of land under the Board of Regents pursuant to § 5-2-2.1 shall be used by the Board of Regents for acquisition of real and personal

property or capital improvements subject to the approval of the Legislature. For purposes of this section, the definition of capital improvement contained in § 5-14-1 applies.

Section 7. Notwithstanding the provisions of this Act or any other law to the contrary, the Governor may direct the Commissioner of School and Public Lands to sell any real estate and related personal property described in section 1 of this Act to a political subdivision within which the real estate and related personal property is located. The sale may be made without first offering the real estate and related personal property for sale to the public. The sale price shall be at least the appraised value as determined by the board of appraisal established by § 5-9-3, and is subject to all applicable statutory and constitutional reservations.

An Act to provide for the sale of certain surplus real estate, to provide for the deposit of the proceeds, and to revise certain provisions relating to the sale of certain surplus property.

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I certify that the attached Act  
originated in the

HOUSE as Bill No. 1232

\_\_\_\_\_  
Chief Clerk  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1232  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
\_\_\_\_\_

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State